Richard Gann (NIST) has developed two tests:

-ignition test involving cotton duck over polyurethane
-non-ignition secondary test to find out how many Waltman No. 2 filter paper sheets are necessary for a cigarette to self extinguish (high ignition, more sheets; low ignition, few sheets)

He is conducting a round robin test with 9-10 laboratories (4 tobacco, CPSC, Furniture manufacturers, State of California, etc.) to check these tests. The industry is supplying 10,000 cigarettes of each of 32 cigarettes (B&W, American, PM, RJR) for trial.

Gann, with close cooperation with the textile industry, is treating fabric with smolder promoters to modify the ignitability of the fabric. The textile manufacturers are providing the right fabrics treated at the appropriate levels. There seems to be more emphasis on the fabric rather than the cigarette.

There will be another technical meeting between the tobacco industry and NIST on March 30/31 to iron out disagreements. The industry maintains that any one test is too artificial in the real world. There needs to be a range of tests for different conditions, different air flows, variation of textiles and so on.

The one positive note that has emerged is that the CPSC has noted the conflict between NIST and the tobacco industry. As a result, they will chair all meetings in the future instead of Gann (NIST). They have questioned some of Gann's work, as well as the industry. They realize, too, that they will be saddled with application of any regulations if and when these are promulgated by Congress.

The tobacco industry is obviously preparing itself for eventful regulation. They are developing a great deal of technical information, which they could use on a legal basis to challenge such regulations. They would like any Congress regulations to be acceptable to them, but if not, they would be challenged in court.

I gather that the Coresta Sub-Group research work on different lighting procedures and the effect of smoldering of cigarettes has been completed. This will be discussed at the meeting in September?

The Fire Incident Study by the National Fire Protection Association (NFPA) continues. The CPSC will review it, when data is complete and will supply the industry with that data. The industry proposes to employ an independent epidemiologist to analyze the data to ensure that their conclusions are similar to those of the CPSC.

2028427009

Source: https://www.industrydocuments.ucsf.edu/docs/prcl0000

Interestingly, the NFPA in December 1991 reported a decline in the number of fires allegedly caused by smoking.

7. ENVIRONMENT AND TOXIC SUBSTANCES

The White House Competitiveness Council continues to have disagreements on regulations on air pollution control by the EPA (WSJ, February 4). It is interesting to note that pollution only accounts for 1-3% of all cancers or from 5,000- 15,000 a year. Over the past three years, EPA's most important toxic targets, dioxin and PCB's have been debunked as relatively insignificant risks (Washington Times, December 16). EPA is reassessing its scientific data on dioxin, with particular reference to toxicology at the cellular level and will issue a report in June (Science News, January 11).

Eleven compounds (HFCs and HFEs) have been discovered at Research Triangle Park, North Carolina, making good replacements for CFC's. Industries have also developed a related class of chemical called hydrochlorofluorocarbons or HCFCs. The President has called for accelerated deadlines from 2000-1995 for phasing out the use of CFCs (WDT, February 28). There was an excellent article on CFCs in Economist, March 7th)

8. ENVIRONMENTAL TOBACCO SMOKE

The EPA Scientific Report is very much in the news, but at the same time, the political and scientific game is being quietly and steadily played in the background. I spoke to Schlagenhaus, assistant to Rep. Bliley at the end of January and he stated that they were already looking into EPA documentation. I intimated that some action would have to be made within a couple of months for any effect on the final report to take place. I understand now that Bliley's (R. VA) Chairman of the Energy Committee, Rep. Dingell (D. MI), a very powerful individual in the House, will probably be writing to the EPA, questioning their actions. This could have a very important effect.

At the moment, EPA are planning to release a second draft of their report in the latter part of April and to hold another SAB review in June. There has been a presentation by the EPA technical staff to the EPA Committee looking at this problem, and they indicated weaknesses in some of the epidemiological studies in the literature. They have complied with SAB in looking more closely at active smoking studies. The lawyers in Washington, however, feel that the major conclusion of ETS being a Class A carcinogen will not change.

During the past two to three months there has been a tremendous amount published on Indoor Air Quality, notably

2028427010

Source: https://www.industrydocuments.ucsf.edu/docs/prcl0000

in Indoor Air Review of January and February, many articles from which have been sent to PAS. Much of these impinge on the Indoor Air Bills S455, HR 1066 in the Congress. Such a bill is highly unlikely to pass in 1992.

Rep. Ford (HR 3160 - page 14) has accused OSHA of ignoring a congressional request for information concerning safety regulation issues over a period of 10 years (Indoor Air Review, January 1992). OSHA countered this argument with a 13,000 page document criticizing the Administration's role in delaying or weakening health and safety regulations, including many that pertain to indoor air quality (Indoor Air Review, February 1992).

The General Accounting Office released a report in December, containing critical evaluation of the EPA's work on indoor air contaminants (Indoor Air Review, December 1991). EPA themselves have published building code recommendations for construction of new buildings, as they relate to improved indoor air conditions (Indoor Air Review, December 1991).

The Coalition for Consumer Health and Safety, in January, published their second annual report, calling on federal agencies to develop a response plan to reduce human exposure to indoor air contaminants and improve coordination of IAQ activities (Indoor Air Review, February 1992).

OSHA will accept comments and data for their review of indoor air contaminants up to March 20, instead of the original January 21st deadline. The industry has, of course sent immense documentation, as it relates to ETS.

There have been a number of articles on OSHA as it relates to regulations governing indoor air contaminants in the workplace. Of particular interest was a strong article on "OSHA inches towards limiting smoking" (WSJ, January 16 (S)). It is stated that EPA considers that smoke is the biggest indoor air quality problem, but not the only one. TI feels that OSHA will be more objective than EPA, but obviously a further recommended curb on workplace smoking would have nationwide impact. The industry would obviously prefer that OSHA issues a broad-based rule that covers indoor air pollutants and involves better ventilation rather than singling out ETS. Should ETS be singled out, Schlagenhaus states that such a smoking rule will have to be defensible in court. Merryman of TI, to whom I also spoke, posed a similar question. It is not known when the OSHA report will be issued, but it certainly could not be much before the end of 1992.

ASH has continued to petition OSHA in the courts over many years to promulgate a general standard to prohibit all smoking in rooms or areas where work is conducted. On January 29 a US Court of Appeals for the District of

2028427011

Source: https://www.industrydocuments.ucsf.edu/docs/prcl0000

Columbia denied ASH's petition to compel OSHA to regulate ETS in the workplace. It felt that OSHA was pursuing this problem adequately, but gave ASH the right to petition again, if further unreasonable delay action occurred.

The all-encompassing nature of ETS and the EPA Report is discussed in an excellent article "Where there's smoke, there's fire" (Government Executive, February 1992 (S)). The General Services Administration lays down rules governing one million civil federal employees. They have already laid down certain regulations on smoking in workplaces, owned or leased by them. The EPA, as has been stated, will assess the risk of passive smoke and produce a work policy guide on smoking. They will recommend involuntary non-smoker exposure should be eliminated, either through a smoking ban or designating smoking areas with separate ventilation on the outside of the building. This document, however, has no regulatory power. OSHA is the only body that has power. However, OSHA's jurisdiction is primarily the private workplace. Many Government Agencies tend to go their own way, so the GSA, like the White House Administration, will have to decide, what they are going to do. All are being prodded by anti-smoking groups.

There were two interesting articles in Indoor Air Review, January 1992 (S), one dealing with a toxicology bioassay (ASTM E981), which measures the toxic chemicals in indoor air quantitatively, and the other dealing with the control of ETS with electrostatic precipitator systems.

In analyzing "No smoking laws in the United States", NA Riggoti et al (JAMA, December 11, 1992 (S)) have noted that no smoking laws are very widespread at the local level, but comprehensive laws which provide meaningful protection from ETS remain uncommon and represent a major gap in smoking control policy. This is what ASH and such organizations, are aiming at in the long term.

A good article "Exposure to Environmental Tobacco Smoke in naturalistic settings" K.M. Emmons et al AJPH, January 1992 (S) discussed the topography and patterns of exposure to ETS, which should help in the development of policies and interventions designed to reduce smoke exposure.

MISCELLANEOUS

1. The TI have prepared "US Tobacco Industry Profile 1992 (S).

2. There was an interesting press article on "Secret Cigarette Additives - what goes up in smoke", Nation, December 23, 1992 (S). It is quite amazing that the US HHS have not divulged the list of additives supplied by the industry some ten years ago. The question was asked - why

2028427012

Source: https://www.industrydocuments.ucsf.edu/docs/prcl0000

did the American tobacco companies stop importing US cigarettes to Canada, because they did not wish the Canadian government to know what was in them. This was very simple. The Canadian Government refused to assure trade secrets being honored.

3. Multinational Monitor, a publication founded by Ralph Nader, had a series of articles on "The Tobacco Lords" in their January/February 1992 Issue.

4. The FTC issued its annual report to Congress on cigarette advertising and promotion for 1989.

5. There have been a number of new books on smoking:

-Smoking: The Artificial Passion, David Krogh, W.H. Freeman
-An ounce of prevention: strategies for solving tobacco, alcohol, and drug problems, Don Calahan, Jossey and Bass Publishers
-The clinical management of nicotine dependence, Edited by J.A. Cocores, Springer-Verlag

II. CANADA

Legislation

The Government appeal on advertising will be heard mid-May 1992. It is not known when final judgment will be given.

On February 12, the Canadian Revenue Minister announced measures "to create an atmosphere that will encourage Canadians to shop at home", in other words to prevent growing numbers of people crossing the border and buying in the USA or to buy goods from US Mail Order companies. One measure effective February 12, was to apply a $8.00C ($6.70 US) per carton duty on cigarettes for export or sale through duty free shops, in order to curb smuggling Canadian cigarettes back from the USA (highly unlikely).

While there is still a differential of about $15.00 C per carton ($30.00 C bought in the USA, $45.00 C Canada) the industry, growers, consumers alike, were just incensed about such an increase at all. The Government is trying to solve a tax created problem by adding another tax. This increased tax is immediately applicable, despite the fact that it has not passed the Ways and Means Committee followed by the Houses of Parliament. I believe that the industry is having discussions with the Government, but it would appear difficult for the latter to discontinue the tax because of loss of face.

RJR immediately suspended negotiations for the 1992 crop size, though they did not say that they would cease leaf purchase. ITL stated that they would look at other options.

2028427013

Source: https://www.industrydocuments.ucsf.edu/docs/prcl0000

but have since agreed to purchase leaf for domestic/export and to continue the $14 million renovations of their Aylmer plant. Needless to say that there has been tremendous lobbying from individuals and municipalities in Ontario. The outcome is still to be decided.

In the February 26th annual Canadian budget there were no federal tax increases on tobacco. It is not known if the CTMC sponsored write-in had any effect on such a decision. It certainly served to underline that everyone from consumer to grower considered the current federal and provincial taxes on tobacco excessive.

The National Campaign for Action on Tobacco continue to press for more taxes, warnings and so on to the Government, even though the Tobacco Products Control Act is considered unconstitutional.

Industry

Domestic cigarette shipments for 1991 were down about 15% but taking into consideration exports and imports of Canadian cigarettes, it is probable that consumption overall was down only about 3.5%. It is anticipated that this figure will continue in 1992. Because of the high prices, the black market, and particularly a rapid escalation of theft and smuggling, has increased enormously.

ITL reported 4Q 91 operating profits at $116 m C up 12% over 4Q 90. Rothmans were up $14.5 C m over 4Q 90. Stock prices fell after the announcement of the export tax.

Imperial recently launched "Peter Jackson Extra Blend" cut tobacco in kits, containing 110 grams of cigarette tobacco and 200 cigarette tubes. This is not the same as the Instakit. No action on the latter patent infringement appeal against Rothmans has been taken to date.

M.J. Kaiserman and W.S. Rickert in "Handmade Cigarettes: it's the tube that counts" (AJPH, January 1992 (S)) showed that there was no evidence of a significant difference in the amounts of tar, nicotine and carbon monoxide produced by 31 commercial Canadian RYO brands. Depending on the choice of tube, a smoker can vary tar delivery by approximately 60%. It is, therefore, not the tobacco producing the low tar yield effect but rather the tube and filter combinations. It is, therefore, up to the smoker to make the correct choice of the latter.

Health

The Canadian Council on Smoking and Health continues to be extremely active against tobacco. It seems to have made major inroads and initiatives in conjunction with the

2028427014

Source: https://www.industrydocuments.ucsf.edu/docs/prcl0000

Government, throughout Canada. A review of their highlights for 1990/1991 and their President's Report has been sent to PAS. Canadian No - Tobacco Day will be May 29th, with the World No-Tobacco Day on May 31.

An Addiction Research Foundation Survey claims that 85% of smokers and 94% of non-smokers support a complete ban of smoking in the workplace. About 70% of the respondents reportedly supported the current national ban on tobacco ads, while a majority supported a cigarette vending machine ban and further restrictions on cigarette sales to minors.

Leaf Production

Yields of tobacco in 1992 were particularly high and as a result, when the markets close in the third week of March, it is anticipated that sales will be about 154-156 million pounds or 24-26m above the original quota figure of 130m. Exports/domestic requirements are about 60/40 and it is hoped that exports will increase above the 63m originally projected. The Ontario Flue-Cured Tobacco Growers Marketing Board have been actively seeking new markets in Eastern Europe and have hosted leaf and blending managers from Western Europe and China in Ontario.

Negotiations for the 1992 crop are currently at a standstill, because of RJR. Assuming that they will buy, projections for a quota increase (dependent to some extent on any carry-over) would seem promising.

(S) Sent to PAS

John S. Campbell

JOHN S. CAMPBELL

2028427015

Source: https://www.industrydocuments.ucsf.edu/docs/prcl0000